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**From:** Daguillard, Robert [Daguillard.Robert@epa.gov]  
**Sent:** 9/4/2018 9:23:35 PM  
**To:** Press [Press@epa.gov]  
**Subject:** White House Report, 4 September 2018

Argus – Section 401 permitting changes  
BNV – Dicamba  
Bloomberg; BNV – ACE Rule  
CBS News – Inadvertent disclosure of personal information on FOIA website  
Dow Jones Newswires – European emissions testing fraud  
EE News – Admin. Wheeler's lobbying  
EE News – Neonics Review  
Fresno Business Journal – Glyphosate (Follow-up)  
How Stuff Works – Bottled Water  
Investigative Post – Coke Oven Plant Site Cleaning  
Law 360 – CPP Litigation  
Law 360 – Gold King Mine Release  
Newsweek – Wildfires  
ProPublica Illinois – Superfund Sites and Public Housing (Follow-up)  
NY Daily News; Law 360; AP; ABC News; WSJ; Jennifer Lu; SP Global; The Hill; Washington Post; CNN;  
Buzzfeed; The Guardian; Bloomberg News; Politico; CNS; EE News; NBC; – EPA IG Report  
Seeking Alpha – Bristol Bay Watershed  
NY Times – MATS  
Overdrive – Emissions tampering enforcement  
VICE – PFAS  
WBUR; Standard-Times (New Bedford, MA) – EPA personnel change  
WSJ – Lead in drinking water in schools

**Bloomberg**

**Dire Climate Change Warnings Cut From Trump Power-Plant Proposal**

<https://www.bloomberg.com/news/articles/2018-09-04/trump-s-top-economic-adviser-kudlow-reveals-assets-of-2-million>

**By Jennifer A Dlouhy, 9/4/18**

**Philadelphia Inquirer**

**N.J. is first state to regulate toxic PFNAs in drinking water**

<http://www2.philly.com/philly/health/science/new-jersey-dep-regulates-pfas-pfoa-pfna-pfos-trump-epa-20180904.html>

**By Frank Kummer, 9/4/18**

**The Guardian**

**Scott Pruitt wasted millions at EPA on security detail, report says**

<https://www.theguardian.com/environment/2018/sep/04/scott-pruitt-wasted-millions-at-epa-on-security-detail-report-says>

**USA Today**

**Scott Pruitt's \$10K per day for protection not justified, EPA watchdog says**

<https://www.usatoday.com/story/news/politics/onpolitics/2018/09/04/epa-watchdog-10-k-spent-per-day-protecting-scott-pruitt-not-justified/1191548002/>

## **Politico Pro**

### **Court orders EPA to immediately reinstate chemical safety rule as industry objects**

<https://subscriber.politicopro.com/energy/whiteboard/2018/08/court-orders-epa-to-immediately-reinstate-chemical-safety-rule-as-industry-objects-1855900>

## **CBS News**

### **Security spending under Pruitt increased "without documented justification," EPA watchdog finds**

<https://www.cbsnews.com/news/security-spending-under-pruitt-increased-without-documented-justification-epa-watchdog-finds/>

## **ABC News**

### **EPA watchdog accuses agency of failing to justify Scott Pruitt's security spending**

<https://abcnews.go.com/Politics/epa-watchdog-accuses-agency-failing-justify-scott-pruitts/story?id=57591461>

## **Politico**

### **Watchdog says EPA did not justify Pruitt security spending**

<https://www.politico.com/story/2018/09/04/pruitt-spending-inspector-general-report-806408>

## **The Washington Post**

### **Trump's rollback of pollution rules to hit coal country hard**

[https://www.washingtonpost.com/business/trumps-pollution-rules-rollback-to-hit-coal-country-hard/2018/09/03/e6f8cc46-af7d-11e8-8b53-50116768e499\\_story.html?utm\\_term=.dbb118e9078c](https://www.washingtonpost.com/business/trumps-pollution-rules-rollback-to-hit-coal-country-hard/2018/09/03/e6f8cc46-af7d-11e8-8b53-50116768e499_story.html?utm_term=.dbb118e9078c)

Message

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**From:** Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]  
**Sent:** 10/2/2017 8:38:10 PM  
**To:** Graham, Amy [graham.amy@epa.gov]  
**Subject:** Fwd: Story on EPA nominee Michael Dourson

This was it.

Sent from my iPhone

Begin forwarded message:

**From:** "Bowman, Liz" <Bowman.Liz@epa.gov>  
**Date:** October 2, 2017 at 1:27:13 PM EDT  
**To:** "Graham, Amy" <graham.amy@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>  
**Cc:** "Wilcox, Jahan" <wilcox.jahan@epa.gov>  
**Subject:** RE: Story on EPA nominee Michael Dourson

This is what I sent to AP in regard to their article on Dourson; I think we can send her this, to show that they were misleading, and so she has the facts/accurate information – Jahan, what do you think? Otherwise, you can pull out the bullets and send her ones that aren't specific to AP. But, I think it's worth noting that AP used this to mislead on Dourson.

President Donald Trump's nominee to oversee chemical safety at the Environmental Protection Agency has for years accepted payments for criticizing studies that raised concerns about the safety of his clients' products, according to a review of financial records and his published work by The Associated Press.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA has spent 1/3 of its time working with industry sponsors and **2/3 of its time working with government sponsors.**

Past corporate clients of Dourson and of a research group he ran include Dow Chemical Co., Koch Industries Inc. and Chevron Corp. His research has also been underwritten by industry trade and lobbying groups representing the makers of plastics, pesticides, processed foods and cigarettes.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was founded on the belief that an independent non-profit organization can provide a unique function to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. One-third of TERA effort has been for industries; **2/3 has been for government groups. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work.** These projects and information are given away freely to the public as part of TERA's 501c3 commitment.

A toxicologist, Dourson worked at the EPA for more than a decade, leaving in 1994 as the manager at a lab that assessed the health risks of exposure to chemicals. The following year, he founded Toxicology Excellence for Risk Assessment, a private toxicity evaluation nonprofit organization that tests chemicals and produces reports on which chemicals are hazardous in what quantities.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was founded as a nonprofit Ohio corporation 1995 and later applied for and received a 501 c3. Its mission was to support the protection of public health by developing, reviewing and communicating risk assessment values and analyses; improving risk methods through research; and, educating risk assessors, managers, and the public on risk assessment issues.

Dourson's views toward industry are consistent with others Trump has selected as top federal regulators. Among them is EPA Administrator Scott Pruitt, who in March overruled the findings of his agency's own scientists to reverse an effort to ban chlorpyrifos, one of the nation's most widely used pesticides.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads and Excludes:** As we have explained **multiple times**, and the AP fails to report: USDA had scientific concerns with studies being used by activists to call for a ban on chlorpyrifos – concerns raised by the Obama Administration USDA. AP is also failing to report that no decision on the 2007 petition was made throughout the entire Obama Administration.

Administrator Pruitt denied the petition based on the lack of time, divergent views from the previous administration and because FIFRA pesticide reviews are more transparent than a petition serving as a back door 'sue and settle' approach.

- <!--[if !supportLists]--><!--[endif]-->**This is an egregious ongoing falsehood being perpetuated by Michael Biesecker. We have explained this issue multiple times to him, his previous editors, and the AP. This is a complete and utter disregard for the facts in an effort to continue to mislead the public about this issue.**

Dourson and his organization previously worked under contract for Dow AgroSciences, the Dow subsidiary that makes chlorpyrifos. In three papers, Dourson and his colleagues pointed to what they said were flaws in peer-reviewed studies that linked delays in fetal development with even low levels of exposure to the pesticide, commonly sprayed on citrus fruits and apples.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was funded by Dow Agro Sciences to review the Reference Dose (RfD) developed by the EPA and others; results were published in 2005 and 2006. The science for chlorpyrifos has progressed since the time of these publications. One series of epidemiology studies shows an association of neurological effects at exposures lower than the current RfD; **other epidemiology studies do not show this association.** Based on how chlorpyrifos is known to work this association is not expected. **Furthermore, the raw data from this one epidemiology series are not available for review.**

In a 2005 paper on the topic, Dourson and his co-authors passed along thanks to Dow for its support over a number of years to study chlorpyrifos' toxicology and assess its risk and said that money in no way influenced their findings favoring the company's position.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Acknowledging sponsors is now a routine part of scientific publication.

"It is not even subtle," said Krimsky, who reviewed Dourson's recent published work. "He has chosen to be the voice of the chemical industry. His role as a scientist is simply the role of an industry-hired lawyer - only to give the best case for their client."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** 67 percent of Dr. Dourson's papers published while at TERA were sponsored by government or self-sponsored.

Furthermore, TERA has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Often TERA develops collaborations with multiple sponsors to resolve difficult risk positions. TERA has on numerous occasions develop risk positions that did not favor a particular sponsor.

According to the nonprofit's most recent publicly available IRS filing, Dourson was paid \$131,000 for his work there in 2015. He separately earns \$103,000 a year from the University of Cincinnati, where he holds a research position.

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Dr. Dourson earned \$131,000 for part of 2015 leaving on July 31 in 2015. The balance of 2015 was paid for by the University of Cincinnati, College of Medicine. His salary listed is not correct.

“Dourson's pro-industry leanings”

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** This statement is biased and distorted

...were also evident in a now defunct website called "Kids + Chemical Safety," which his group ran. The site, which described itself as a source of information about the safe use of chemicals around children, mirrored talking points by chemical companies and trade groups that financed Dourson's work.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** This website is not defunct. This website is under consideration for adoption by another group. Stories on this website are written by identified experts in a less scientific tone, to explain risks and hazards of chemicals. Related government websites are either data-dense or not user friendly; activists' websites appear to be more designed to support fundraising.
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** TERA received support from the website from: the Alliance for Risk Assessment (ARA), American Chemistry Council (ACC), Combined Federal Campaign (CFC) of the US Federal Government and the public. In kind support from Cincinnati Children's Drug & Poison Information Center, Harvard Superfund Research Program, NSF International, and Toxicology Excellence for Risk Assessment (TERA).

Dourson's willingness to align his scientific opinions with those of his corporate patrons has earned him support from influential industry groups now supporting his nomination.

- <!--[if !supportLists]--><!--[endif]-->**AP Distorts:** “Dourson’s willingness to align his scientific opinions” – this statement is: biased and distorted.
- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA explains that: “independence from all parties and groups is essential in order for our science and results to be seen as credible by all parties. TERA has instituted policies and procedures, and maintains a corporate environment that ensures that all of our work efforts are conducted in a manner that maintains our independence.”
  - <!--[if !supportLists]--><!--[endif]-->They also explain that: [TERA is] **transparent about who our funders are and what role they had, if any, in commenting on the TERA scientific opinions or results. We make it clear to all funders and sponsors of our work that TERA is an independent scientific organization and as such we will provide them our independent scientific evaluation and conclusions.**

Court records show Dourson and his work have often been called on when his corporate clients are seeking to fend off lawsuits.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Legal testimony is a very small part of the overall TERA effort, and only done when a larger public health concern is under review.

DuPont was accused of polluting a West Virginia town with Perfluorooctanoic acid, or PFOA, a chemical that the company's internal tests had long ago concluded were toxic. Corporate officials discussed hiring Dourson as part of a strategy to defend themselves.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Dourson has not testified on behalf of Dupont in this capacity. What corporate officials? Where is the citation?

Dourson led a team that found in 2002 that PFOA levels up to 150 parts per billion were safe, a level higher than was found in testing of 188 private wells and springs.

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** In 2002, four governments and one industry recommended TERA as the independent and neutral party to assist in a PFOA evaluation. A West Virginia judge agreed. TERA was hired by the State of West Virginia. Dr. Deanne Statts of West Virginia DEP chaired a 10-member scientific panel, five of whom were government employees (three were from EPA). The panel made a unanimous determination of a safe water level of 150 ppb. **All of this information has been publicly available.** The science of PFOA has progressed since 2002.

That was also well above the 1 part per billion Dupont's own scientists had concluded could be considered safe years before. The EPA now says that only 70 parts per trillion of PFOA are acceptable - or only 0.05 percent of what Dourson's team said was safe.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** It is our understanding that the Dupont level was a place holder until the West Virginia panel developed its recommendation.

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**From:** Graham, Amy

**Sent:** Monday, October 2, 2017 12:33 PM

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Abboud, Michael <[abboud.michael@epa.gov](mailto:abboud.michael@epa.gov)>

**Subject:** FW: Story on EPA nominee Michael Dourson

Liz- Should we send the statement you have been providing on Dourson? Anything else you want us to add?

**From:** Elvina Nawaguna [<mailto:elvinanawaguna@cqrollcall.com>]

**Sent:** Monday, October 2, 2017 10:43 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>

**Subject:** Story on EPA nominee Michael Dourson

Hi there

I'm working on an advance story ahead of the confirmation hearing for Michael Dourson. There has been much opposition to his nomination for the position because of his history representing manufacturers of some the the very chemicals he will oversee if confirmed. I'd like to get a response from EPA on those concerns over possible conflicts

of interest and whether there is a plan to have him recuse himself from decisions related to chemicals from companies he has had ties to.  
I'm working on a deadline of noon eastern today.  
Thanks.

Elvina Nawaguna  
Energy and Environment Reporter  
CQ Roll Call  
1625 Eye St. NW #200  
Washington, DC 20006  
Cell: Ex. 6  
Desk: 202-650-6597

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Message

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**From:** Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]  
**Sent:** 4/20/2018 6:20:46 PM  
**To:** Leopold, Matt [Leopold.Matt@epa.gov]  
**Subject:** FW: APPROVAL: Statement in response to Morocco FOIA

This is exactly what I am talking about.

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**From:** Wilcox, Jahan  
**Sent:** Friday, April 20, 2018 2:20 PM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>  
**Subject:** RE: APPROVAL: Statement in response to Morocco FOIA

No. We are waiting for this to get approved.

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**From:** Bowman, Liz  
**Sent:** Friday, April 20, 2018 2:19 PM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>  
**Subject:** RE: APPROVAL: Statement in response to Morocco FOIA

Please send the final to Michael Biesecker at AP, as he has been reaching out to career FOIA staff for this response and they are asking OPA to respond.

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**From:** Wilcox, Jahan  
**Sent:** Friday, April 20, 2018 1:34 PM  
**To:** Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** APPROVAL: Statement in response to Morocco FOIA

This is great. Proceed forward or no?

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**From:** Ferguson, Lincoln  
**Sent:** Friday, April 20, 2018 11:47 AM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; White, Elizabeth <white.elizabeth@epa.gov>  
**Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Statement in response to Morocco FOIA

**Need Matt/Ryan/Beth approval:**

This is a statement we will use in response to questions and already reported misleading stories regarding four pages of redactions during the Morocco trip.

"The four page redaction to the Morocco schedule is simply a calendar entry for a Senior Staff Meeting at EPA Headquarters in DC, which the Administrator did not attend because he was in Morocco. The entry includes all



**attendees invited to the meeting, which is the reason for the extensive redaction. Every meeting that took place in Morocco has been publicized and included on the Administrator's schedule."**

"But four pages of the of the six-page schedule are redacted in the publicly released documents. Other than Pruitt's meeting with the Moroccan Agency for Sustainable Energy CEO Mustapha Bakkoury on December 11, no other events from that day are identified. A large block of the schedule is redacted citing the "deliberative process privilege" allowed under the Freedom of Information Act." (ABC News, 4/18/18)

Message

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**From:** Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]  
**Sent:** 9/3/2017 6:12:03 PM  
**To:** Hewitt, James [hewitt.james@epa.gov]  
**CC:** Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** Re: EPA Response To The AP's Misleading Story

Thx

Sent from my iPhone

On Sep 3, 2017, at 1:59 PM, Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)> wrote:

FYI Abbott giving us some helpful support <https://twitter.com/cnnsotu/status/904401322136526850>

Sent from my iPhone

On Sep 3, 2017, at 1:50 PM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)> wrote:

Thanks all

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**From:** Hewitt, James  
**Sent:** Sunday, September 3, 2017 1:42 PM  
**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Cc:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Subject:** Re: EPA Response To The AP's Misleading Story

I linked to the EPA page so we're good. John helped coordinate getting it up.

Sent from my iPhone

On Sep 3, 2017, at 1:41 PM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)> wrote:

I am not sure of the rules there...if it's on EPA's site, we should just post it from there. I really don't think we need links, I think we just post the content, if we can. For twitter, you can just retweet my response to AP. We don't need to get into a twitter spat.

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**From:** Wilcox, Jahan  
**Sent:** Sunday, September 3, 2017 1:37 PM  
**To:** Hewitt, James <[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)>  
**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Subject:** Re: EPA Response To The AP's Misleading Story

Do it through bit link but yes

Sent from my iPhone

On Sep 3, 2017, at 12:03 PM, Hewitt, James  
<[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)> wrote:

Sounds good. So to confirm, it's alright if I tweet a non EPA link from the flagship?

If so, For approval: EPA Response To The AP's Misleading Story <http://createsend.com/t/d-5C82E06552EB0D46>

Sent from my iPhone

On Sep 3, 2017, at 1:02 PM, Wilcox, Jahan  
<[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

If you click tweet at the bottom it generates a link.

Sent from my iPhone

On Sep 3, 2017, at 11:47 AM,  
Hewitt, James  
<[hewitt.james@epa.gov](mailto:hewitt.james@epa.gov)> wrote:

I think Jahan can generate an independent link from campaign monitor.

Sent from my iPhone

On Sep 3, 2017, at 12:46 PM, Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)> wrote:

I don't think we can get Julia to post this on our website...can we just

copy &  
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ation?

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**From:**  
Hewitt,  
James  
**Sent:**  
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2017  
12:44  
PM  
**To:**  
Wilcox,  
Jahan  
<[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Cc:**  
Konkus,  
John  
<[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>;  
Bowman, Liz  
<[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject**  
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Do we  
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U.S. ENVIRON  
NEWS

Good afternoon -

Yesterday, the Associated Press' Michael  
**story** about toxic land sites that are und

Despite reporting from the comfort of W  
that agencies aren't being responsive to  
Harvey. Not only is this inaccurate, but i  
first responders who are actually in the a

Here's the truth: through aerial imaging,  
at **41** Superfund sites - **28** of those sites  
flooding. This was left out of the original  
agencies worked with responsible parties  
hit. Leaving out this critical information

Administrator Pruitt already visited South  
local, state and county officials. And EPA  
local, state and federal authorities, on th  
Biesecker included in his story.

Unfortunately, the **Associated Press' Mi**  
facts get in the way of his story. Earlier t

Administrator Pruitt had, and then deliberate an inaccurate story - ultimately prompting a Oklahoman took him to task for sensationalism.

- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->  
Scandal as It Covers Up Invention of

If you're reporting on this misleading story

**"Once again, in an attempt to mislead the public by picking facts, as EPA is monitoring Superfund sites, a team of experts on the ground working to respond to Hurricane Harvey. Anytime you hear about EPA Associate Administrator, Liz Bowman**

---

## BACKGROUND ...

**The Hill reports EPA finds 13 Superfund sites**  
Environmental Protection Agency (EPA) says that two of the sites, which are areas that are flooded or could be facing damage as a result of two of the sites, which are areas that are extensive cleanup, had been inspected and sites have proven to be inaccessible for months. EPA are in place to inspect the areas once flooded. EPA said that it had conducted initial assessments of areas using 'aerial images' and contact with local activities." (The Hill, 09/02/17)

**In June, the editorial board at the Oklahoman sensationalized reporting that comes from**  
"The disdain that some in the media have for the administration is evident regularly. Recently, Administrator Pruitt provides an example of interest to the Associated Press story from Washington last week as attorney general did what it could to protect the oil and gas industry – which environmentalists don't know it. The AP, a wire service used by many, Oklahoman, said the emails 'underscore the role of fossil fuel companies' as Oklahoma's AG, 'a position that federal efforts to curb planet-warming climate change' paragraph. Pruitt didn't just work with environmentalists, he worked 'closely' with 'fossil fuel companies' to keep global warming from abating. ... The

with energy industry officials as attorney  
industry should not be surprising nor sho

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<image001.png>



U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue Northwest  
Washington, D.C. 20004

[Unsubscribe](#)

Message

---

**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 9/21/2017 7:25:55 PM  
**To:** Sparacino, Jessica [sparacino.jessica@epa.gov]; Daguiard, Robert [Daguiard.Robert@epa.gov]  
**CC:** Sparacino, Jessica [sparacino.jessica@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]; Sorokin, Nicholas [sorokin.nicholas@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]  
**Subject:** Re: FOR REVIEW: Open Inquiries for Review -- 9/21/17 -- AFTERNOON

Please remove this one, Jess; it's closed:

Argus, DEADLINE: 9/20 (Colleen Howe), Re: Particulate matter ruling. Enesta Jones.

On Sep 21, 2017, at 3:14 PM, Daguiard, Robert <Daguiard.Robert@epa.gov> wrote:

Quick add, in yellow, below.

---

**From:** Sparacino, Jessica  
**Sent:** Thursday, September 21, 2017 3:10 PM  
**To:** Daguiard, Robert <Daguiard.Robert@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Sorokin, Nicholas <sorokin.nicholas@epa.gov>; Sparacino, Jessica <sparacino.jessica@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>  
**Subject:** FOR REVIEW: Open Inquiries for Review -- 9/21/17 -- AFTERNOON

**Non-Hurricane:**

- <!--[if !supportLists]--><!--[endif]-->BNA, DEADLINE: 9/21 (Amena Saiyid), Re: LA River and WOTUS follow-up. Tricia Lynn.
- <!--[if !supportLists]--><!--[endif]-->Huffington Post, DEADLINE: 9/21 (Arthur Delaney), Re: Lead and copper rule revisions. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->FairWarning, DEADLINE: 9/20 (Dan Ross), Re: Water fluoridation. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->Reuters, DEADLINE: 9/20 (Tom Polansek), Re: Dicamba. Robert Daguiard.
- <!--[if !supportLists]--><!--[endif]-->Fayetteville Observer, DEADLINE: 9/20 (Steve Devane), Re: GenX. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->S&P Global, DEADLINE: 9/20 (Sarah Smith), Re: Gas STAR program and biogas interest. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->Argus, DEADLINE: 9/20 (Colleen Howe), Re: Particulate matter ruling. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->Toronto Star, DEADLINE: 9/20 (Jesse McLean), Re: Industrial contaminants/emissions. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->Denver Business Journal, DEADLINE: 9/20 (Cathy Proctor), Re: EPA budget in California. Tricia Lynn.
- <!--[if !supportLists]--><!--[endif]-->50 Bold, DEADLINE: 9/20 (Karen Halliburton), Re: EPA Statement on Chemtrails. Robert Daguiard.
- <!--[if !supportLists]--><!--[endif]-->BNA, DEADLINE: 9/19 (David Schultz), Re: WIFIA Environmental Assessment. Tricia Lynn.
- <!--[if !supportLists]--><!--[endif]-->New York Times, DEADLINE: 9/15 (Rebecca Lai), Re: Follow-up on "unhealthy days" for PM2.5. Enesta Jones.
- <!--[if !supportLists]--><!--[endif]-->Power Magazine, DEADLINE: 9/14 (Sonal Patel), Re: Steam electric postponement. Tricia Lynn.
- <!--[if !supportLists]--><!--[endif]-->Reading Eagle, DEADLINE 9/19 (Beth Brelje) Re: Budget and Water Inspectors in Low Income Communities and Communities of Color. Tricia Lynn.

- <!--[if !supportLists]--><!--[endif]-->[Reveal News, DEADLINE: 9/11 \(Randy Loftis\), Re: Proposed Budget and Small City Water Projects. \*Tricia Lynn\*](#)
- <!--[if !supportLists]--><!--[endif]-->[Newark Star Ledger, DEADLINE: 9/7 \(Dave D'Alessandro\), Re: Frontier/environment America Research and Policy Center. \*Tricia Lynn\*](#)
- <!--[if !supportLists]--><!--[endif]-->[Chemical Watch, DEADLINE: 9/4 \(Julie Miller\), Re: Pending section 6 rules. \*Robert Daguillard\*](#)
- <!--[if !supportLists]--><!--[endif]-->[Fruit Grower News, DEADLINE: 9/1 \(Dave Weinstock\), Re: Pesticide impact on bees. \*Robert Daguillard\*](#)
- <!--[if !supportLists]--><!--[endif]-->[The Nation, DEADLINE: 8/18 \(Rene Ebersole\), Re: Glyphosate review. \*Robert Daguillard\*](#)
- <!--[if !supportLists]--><!--[endif]-->[WTOP, DEADLINE: 10/12 \(Kristie Clement\), Re: WTOP cybersecurity roundtable discussion. \*Robert Daguillard\*](#)
- <!--[if !supportLists]--><!--[endif]-->[S&P Global, DEADLINE: Flexible \(Colby Bermel\), Re: Kemper settlement \*Robert Daguillard\*](#)

### **Sammies Interview Requests**

- <!--[if !supportLists]--><!--[endif]-->[Washington Post \(Joe Davidson\) \(9/13\)](#)
- <!--[if !supportLists]--><!--[endif]-->[The Atlantic \(Russell Berman\) \(9/13\)](#)
- <!--[if !supportLists]--><!--[endif]-->[TIME \(Maya Rhodan\) \(9/13\)](#)

### **Hurricane Harvey:**

- <!--[if !supportLists]--><!--[endif]-->[ABC News-Washington \(Stephanie Ebbs\) – Update on Valero benzene leak. \(9/14\)](#)
- <!--[if !supportLists]--><!--[endif]-->[AFP \(Delphine Toutitou\) – Confirmation on letter and inquiry into Arkema plant. \(9/12\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Argus Media \(Chris Knight\) - Clarification re: emergency fuel waivers. \(9/7\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Argus \(Chris Knight\) – Waiver data. \(9/21\) \(DDL: 9/21\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Associated Press \(Michael Biesecker\) – SuperFund inspections and Arkema plant air quality testing. \(9/7\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Associated Press \(Michael Biesecker\) – Follow-up on San Jacinto Waste Pits and U.S. Oil Recovery. \(9/12\) \(DDL: 9/15\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Bloomberg \(Meenal Vamburkar\) – Valero leak. \(9/15\)](#)
- <!--[if !supportLists]--><!--[endif]-->[BNA \(Sylvia Carignan\) – Post-hurricane Superfund site summaries. \(9/15\)](#)
- <!--[if !supportLists]--><!--[endif]-->[BNA \(Sam Pearson\) – Administrator Pruitt's remarks on Arkema. \(9/12\)](#)
- <!--[if !supportLists]--><!--[endif]-->[BNA \(Adam Allington\) - Retail facility cleanup and RCRA guidelines. \(9/7\)](#)
- <!--[if !supportLists]--><!--[endif]-->[CQ \(Jackie Toth\) – Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. \(9/12\)](#)
- <!--[if !supportLists]--><!--[endif]-->[E&E News \(Corbin Hiar\) – Seeking copy of 9/7 letter to Arkema. \(9/12\)](#)
- <!--[if !supportLists]--><!--[endif]-->[E&E News \(Corbin Hiar\) – Flooding, Superfund sites, and climate change. \(9/14\) \(DDL: 9/18\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Houston Chronicle \(Matt Dempsey\) – Arkema release from Friday. \(9/18\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Houston Public Media \(Travis Bubenik\) – Arkema response to EPA letter. \(9/19\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Moody's Investor Service \(Roy Ousley\) – Seeking names of affected water systems. \(9/12\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Newsweek \(Dana Dovey\) – Health effects of sewage overflows. \(9/13\)](#)
- <!--[if !supportLists]--><!--[endif]-->[San Antonio Express-News \(Rye Druzin\) – Valero plant and RINs. \(9/14\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Univision 45 Houston \(Jessica Rivera\) – Benzene and Valero plant. \(9/14\)](#)
- <!--[if !supportLists]--><!--[endif]-->[Vice \(Alex Lubben\) – U.S. Oil Recovery. \(9/19\)](#)

- <!--[if !supportLists]--><!--[endif]-->[Wall Street Journal \(Alexandra Berzon\)](#) – Chemical plants and regulations. (9/15)

#### **Hurricane Irma:**

- <!--[if !supportLists]--><!--[endif]-->[2U \(John Rehm\)](#) – Access to clean drinking water in Texas and Florida. (9/14)
- <!--[if !supportLists]--><!--[endif]-->[Al Jazeera \(Elizabeth Gorman Shaw\)](#) – Interview: Hurricane cleanup and recovery. (9/21)
- <!--[if !supportLists]--><!--[endif]-->[Associated Press \(Matthew Brown\)](#) – Non-Superfund chemical/petrochemical storage sites. (9/8)
- <!--[if !supportLists]--><!--[endif]-->[Associated Press \(Michael Biesecker\)](#) – Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)
- <!--[if !supportLists]--><!--[endif]-->[Associated Press \(John Flesher\)](#) – CWA storm water discharge permits. (9/13)
- <!--[if !supportLists]--><!--[endif]-->[CQ \(Elvina Nawaguna\)](#) – Hurricanes and climate change strategy. (9/11)
- <!--[if !supportLists]--><!--[endif]-->[E&E News \(Niina Heikkinen\)](#) – Emergency response, Administrator Pruitt, and funding. (9/7)
- <!--[if !supportLists]--><!--[endif]-->[E&E News \(Niina Heikkinen\)](#) – Emergency preparedness and climate change. (9/14)
- <!--[if !supportLists]--><!--[endif]-->[WIRED \(Eric Niller\)](#) – Hurricane debris disposal. (9/14)

#### **Hurricane Maria**

- <!--[if !supportLists]--><!--[endif]-->[Buzzfeed News \(Grace Wyler and Zahra Hirji\)](#) – Vieques Naval Installation. (9/21/17)

**BNA, DEADLINE: 9/21 (Amena Saiyid), Re: LA River and WOTUS - followup. *Tricia Lynn.***

#### **Background:**

Reporter is following up on her inquiry earlier today. She specifically wants to know how we'll handle the request to exclude the LA River in the WOTUS rewrite. Reporter is Amena Saiyid ([ASaiyid@bna.com](mailto:ASaiyid@bna.com)) of BNA.

#### **Suggested Response:**

**Deliberative Process / Ex. 5**

#### **Inquiry:**

Thank you, but how do you plan to handle this request in light of the wotus rule rewrite?

**Huffington Post, DEADLINE: 9/21 (Arthur Delaney), Re: Lead and copper rule revisions. *Enesta Jone***

#### **Background:**

Huff Post reporter is asking about the timeframe for revising the lead and copper rule. Publicly available information. Response input from OW. Arthur Delaney, [arthur@huffpost.com](mailto:arthur@huffpost.com)

#### **Suggested Response:**

**Deliberative Process / Ex. 5**

# Deliberative Process / Ex. 5

## **Inquiry:**

Hi Enesta, I am working on a story for HuffPost about a [study](#) suggesting the Flint water crisis resulted in more fetal deaths in Flint. In the story i want to mention the EPA's planned long-term revision to the Lead and Copper Rule. I remember the previous administrator saying it wouldn't be finalized until next year but wanted to check with you on the timeline. My number is (202) 624-9396.

---

**FairWarning, DEADLINE: 9/20 (Dan Ross), Re: Water fluoridation. *Enesta Jones*.**

## **Background:**

FairWarning reporter is asking about the maximum contaminant level for fluoride and our guidelines. Publicly available information. Response input from OW. Dan Ross, [dross1@gm.slc.edu](mailto:dross1@gm.slc.edu)

## **Suggested Response:**

**Why is the EPA's MCL for fluoride in drinking water still 4 ppm, even though the National Resource Council's 2006 report found how that level puts water users at an increased risk of bone fractures and severe dental fluorosis (a report that the EPA hasn't subsequently questioned)? And why in its latest 6-year-review of drinking water standards did the EPA describe the potential revision of the federal threshold as a "lower priority," even though many health and environmental experts have agreed with the NRC's finding (the 4ppm puts water users at risk of bone fractures and severe dental fluorosis)?**

# Deliberative Process / Ex. 5



At certain times of the year, water users are going to drink water in greater quantities. Does the EPA offer guidelines about how water utilities handle this, so that they maintain optimum fluoride levels (of 0.7 ppm)?

# Deliberative Process / Ex. 5

Does the EPA offer any guidelines about fluoride levels in bottled beverages?

## Deliberative Process / Ex. 5

### Inquiry:

My name is Dan Ross, I'm a reporter with FairWarning, working on a story about water fluoridation.

I've a few questions for the EPA, and requests for comment:

- Why is the EPA's MCL for fluoride in drinking water still 4 ppm, even though the National Resource Council's 2006 report found how that level puts water users at an increased risk of bone fractures and severe dental fluorosis (a report that the EPA hasn't subsequently questioned)? And why in its latest 6-year-review of drinking water standards did the EPA describe the potential revision of the federal threshold as a "lower priority," even though many health and environmental experts have agreed with the NRC's finding (the 4ppm puts water users at risk of bone fractures and severe dental fluorosis)?
- At certain times of the year, water users are going to drink water in greater quantities. Does the EPA offer guidelines about how water utilities handle this, so that they maintain optimum fluoride levels (of 0.7 ppm)?
- Does the EPA offer any guidelines about fluoride levels in bottled beverages?

---

Reuters, DEADLINE: 9/20 (Tom Polansek), Re: Dicamba. *Robert Daguillard.*

### Background:

The enforcement branch says they've used this response before on this and similar issues - Tom Polansek - Reuters - [thomas.polansek@thomsonreuters.com](mailto:thomas.polansek@thomsonreuters.com)

### Response:

## Deliberative Process / Ex. 5

### Inquiry:

Hi Robert, Nice talking with you this morning. I's like to learn more about the assistance the EPA has offered to states for investigations into crop damage related to dicamba sprayings, please. At the SFIREG meeting, it was mentioned that the EPA offered help to Arkansas and that Arkansas declined it. Two other states, I believe, have accepted. I think this is important because states have said it is a lot of work to handle the large number of investigations. Can you please tell me to which states the EPA has offered assistance with dicamba investigations? Which states have accepted the agency's help, and which states have declined? Why did the EPA offer to help states with dicamba complaints? What work would the EPA do on behalf of the states -- ie what kind of help is the EPA offering? Please get back to me by the end of the day on Friday. Thank you!

**Fayetteville Observer, DEADLINE: 9/20 (Steve Devane), Re: GenX. *Enesta Jones.***

**Background:** Fayetteville Observer reporter is asking about studies, sampling and results surrounding GenX. Response input from the EPA GenX Workgroup. Steve Devane, [sdevane@fayobserver.com](mailto:sdevane@fayobserver.com)

**Suggested Response:**

# Deliberative Process / Ex. 5

**Inquiry:**

1. What studies has the EPA done regarding the possibility that GenX can be contaminating the air and what were the results?
2. What other studies have been done about the possibility of GenX contaminating the air and what were the results?
3. Regarding the presentation at the Northeastern University Social Science Environmental Health Research Institute in June, what sampling was conducted and what were the results?
4. Regarding the conclusions in the presentation, what does the possibility of more extensive local contamination mean for residents who live near that facility and other Chemours facilities?
5. Regarding those conclusions, what is the possibility that GenX is contaminating the local environment via air deposition?
6. What further plans does the EPA have regarding the possibility that GenX might be contaminating the air?
7. What level of concern should residents who live near Chemours plants have about that possibility?

**S&P Global, DEADLINE: 9/20 (Sarah Smith), Re: Gas STAR program and biogas interest. *Enesta Jones.***

**Background:**

S&P Global reporter is asking about our coordination with states and utilities under the voluntary Gas STAR program, and whether we have seen an increase in biogas interest. Publicly available information. Response input from OAR. Sarah Smith, [Sarah.Smith@spglobal.com](mailto:Sarah.Smith@spglobal.com)

**Suggested Response:**

**I'm curious about whether the EPA Gas STAR program coordinates with state regulators and/or gas utilities to make more use of renewable natural gas. I'm also interested in whether you all have seen any increased interest in biogas from states and utilities in recent months or years.**

# Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

## **Inquiry:**

I'm a reporter covering the natural gas industry, with a focus on utilities. I'm looking at the increased focus in using renewable natural gas by local distribution companies.

I'm curious about whether the EPA Gas STAR program coordinates with state regulators and/or gas utilities to make more use of renewable natural gas. I'm also interested in whether you all have seen any increased interest in biogas from states and utilities in recent months or years.

**Argus, DEADLINE: 9/20 (Colleen Howe), Re: Particulate matter ruling. *Enesta Jones*.**

## **Background:**

Argus reporter is seeking a reaction to the court ruling on enforcing particulate matter in six states. OGC drafted, OAR approved response. Colleen Howe, [colleen.howe@argusmedia.com](mailto:colleen.howe@argusmedia.com)

## **Suggested Response:**

# Deliberative Process / Ex. 5

## **Inquiry:**

This is Colleen Howe with Argus Media. I'm reaching out because I'm writing a story on the news that a California district court judge has handed down a ruling EPA to enforce particulate matter standards in six states.

Does EPA have any comment?

**Toronto Star, DEADLINE: 9/20 (Jesse McLean), Re: Industrial contaminants/emissions. *Enesta Jones*.**

**Background:** Toronto Star reporter is looking for emissions standards for contaminants. Publicly available information. Longer response recommended, because he is asking about all contaminants. Response input from OAR/OAQPS. Jesse McLean, [jmclean@thestar.ca](mailto:jmclean@thestar.ca)

## **Suggested Response:**

# Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

## **Inquiry:**

My name is Jesse McLean and I'm a reporter with the Toronto Star in Canada. A colleague and I are working on a story looking into industrial air emissions and I am wondering if the EPA has a master list of acceptable emission standards or limits for all contaminants. I found this one online but it's only for a handful of pollutants (<https://www.epa.gov/criteria-air-pollutants/naaqs-table>). Is there a more comprehensive list available?

---

**Denver Business Journal (Cathy Proctor), Re: EPA budget in California. *Tricia Lynn.***

## **Background:**

Reporter is interested in knowing about potential impacts to EPA funding for Colorado agencies if the proposed budget is enacted. Reporter is Cathy Proctor ([cproctor@bizjournals.com](mailto:cproctor@bizjournals.com)) of Denver Business Journal.

## **Suggested Response:**

# Deliberative Process / Ex. 5

## **Inquiry:**

Cathy Proctor, Denver Business Journal, wants to know about current EPA budget proposal for FY 2018 and impacts on EPA funding to Colorado agencies (CDPHE) as well as EPA-led work at Superfund sites.

**50 Bold, DEADLINE: 9/20 (Karen Halliburton), Re: EPA Statement on Chemtrails. Robert Daguiard.**

**Background:**

The reporter is writing a story for the premiere issue of an online magazine called [50Bold.com](http://50Bold.com), aimed at readers 50 and older. She is looking at conspiracy theories surrounding "chemtrails," and those who supposedly create them for alleged nefarious, if unspecified, purposes. She contacted EPA for a view explaining the scientific origins of \***contrails**\* - the program views is specifically staying away from the term "chemtrails" - and emissions from jet aircrafts. - Karen Halliburton - [50Bold.com](http://50Bold.com) - [Ex. 6@verizon.net](mailto:Ex.6@verizon.net)

**Response:**

**Deliberative Process / Ex. 5**

# Deliberative Process / Ex. 5

## Inquiry:

Hi Ms. Jones:

This is Karen Halliburton. I am a writer for [50BOLD.com](http://50BOLD.com) which is an online publication that will launch next month. I am doing a story on Chemtrails.

Can you please provide me with the official EPA statement on Chemtrails.

Please send by close of business, Wednesday, September 20.

---

**BNA, DEADLINE: 9/19 (David Schultz), Re: WIFIA Environmental Assessment. *Tricia Lynn***

## Background:

Reporter is wondering why EPA is performing an environmental assessment (EA) regarding WIFIA. (We're required to.) Reporter is David Schultz ([dSchultz@bna.com](mailto:dSchultz@bna.com)) of BNA.

## Suggested Response:

# Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

## **Inquiry:**

Hello,

I saw your notice in the FR today about your plans to do an environmental assessment on the WIFIA program. Here's the announcement I saw: [https://s3.amazonaws.com/public-inspection.federalregister.gov/2017-19956.pdf?utm\\_campaign=pi%20subscription%20mailing%20list&utm\\_source=federalregister.gov&utm\\_medium=email](https://s3.amazonaws.com/public-inspection.federalregister.gov/2017-19956.pdf?utm_campaign=pi%20subscription%20mailing%20list&utm_source=federalregister.gov&utm_medium=email)

I was hoping you could explain to me why the EPA is doing an EA on this program. Don't you usually only do environmental assessments for things that could have negative environmental impacts? What would be the negative impacts of giving out low-cost loans? It also says one of the options you're studying is not giving out any money. But aren't you statutorily obligated to give out the loans?

I'm obviously very confused about. Any light you can shed on this would be much, much appreciated. Thanks!

David

**New York Times, DEADLINE: 9/15 (Rebecca Lai), Re: Follow-up on "unhealthy days" for PM2.5. *Enesta Jones*.**

## **Background:**

NYT reporter returned, asking for the pollutant, PM2.5, data. OAR/OAQPS crunched the numbers from our AirNow website and provided appropriate caveats. Rebecca Lai, [rebecca.lai@nytimes.com](mailto:rebecca.lai@nytimes.com)

## **Suggested Follow-up Response:**

# Deliberative Process / Ex. 5

## **Inquiry:**

Thank you for your help. Do you have the summary numbers for county-days that were "Very Unhealthy" or higher for PM2.5?

**Power Magazine, DEADLINE: 9/14 (Sonal Patel), Re: Steam electric postponement. *Tricia Lynn*.**

## **Background:**

Yesterday EPA finalized a rule postponing certain compliance dates by two years for the effluent limitations guidelines and standards for steam electric power plants (ELG Rule) that were issued in November 2015, meaning compliance isn't

expected to be achieved until November 2020. EPA also said it doesn't expect to issue a new final rule for at least three years, maybe later, and that technology specifications would be defined in a revised rule that it seeks to issue in fall of 2020. Reporter wonders if that will be enough time for facilities to abide by the new requirements, and also what EPA would say to those who've already begun preparations to comply with the rule. Reporter is Sonal Patel ([SPatel@powermag.com](mailto:SPatel@powermag.com)) of *Power* magazine.

**Suggested Response:**

# Deliberative Process / Ex. 5

**Inquiry:**

Hi Enesta, I hope you are well.

The EPA yesterday finalized a rule postponing compliance dates for FGD and bottom ash wastestreams by two years, meaning compliance isn't expected to be achieved until November 2020. However, the EPA also said it doesn't expect to issue a new final rule for three years, maybe later—and it said in the rule technology specifications would be defined in a revised rule that it seeks to issue in fall of 2020. My question is, if the EPA decides to revise technical requirements, will that be enough time for facilities to abide by the new requirements?

---

**Reading Eagle, DEADLINE 9/19 (Beth Brelje) Re: Budget and Water Inspectors in Low Income Communities and Communities of Color. *Tricia Lynn***

**Background:**

Reporter wants to know whether, if the proposed budget is enacted, there will be fewer water inspectors in communities of color and low income communities. Reporter is Beth Brelje ([bbrelje@readingeagle.com](mailto:bbrelje@readingeagle.com)) of Reading Eagle.

**Suggested Response:**

# Deliberative Process / Ex. 5

**Inquiry:**

I am a reporter on deadline on a story about possible budget cuts to the EPA. A group that was protesting these cuts today said if the budget is cut, there will be fewer water inspectors in communities of color or low incomes.

Would EPA cut inspectors if there is a budget cut, and if so, would the EPA target communities of color or low income communities?

Could you respond today please?

---

**Reveal News, DEADLINE: 9/11 (Randy Loftis), Re: Proposed Budget and Small City Water Projects. *Tricia Lynn*.**



**Background:**

Reporter is wondering about EPA funding sources for water/wastewater projects in small cities. Additionally, he wants to know if Administrator Pruitt supports the President's budget proposal to cut categorical grants to the states by 44.7 percent in FY 2018. OCFO and OW contributed to the response below. OCFO provided a general statement (1st paragraph below) about the budget, though you may want something more specific to attribute to the Administrator. Reporter is Randy Loftis of Reveal News (from the Center for Investigative Reporting).

**Suggested Response:**

# Deliberative Process / Ex. 5

**Inquiry:**

Hello. I'm working on a story about rural water and wastewater funding for Reveal News from the Center for Investigative Reporting. I have a couple of questions.

First, does the EPA have its own capital funding source for water and wastewater projects in small cities of 10,000 or less population? (10,000 is the small system definition used by the USDA's Rural Utilities Service.)

Second, does Administrator Pruitt support the President's budget proposal to cut categorical grants to the states by 44.7 percent in FY 2018?

My deadline is early next week. Any comment would be appreciated.

**Newark Star Ledger, DEADLINE: 9/7 (Dave D'Alessandro), Re: Frontier/environment America Research and Policy Center. *Tricia Lynn*.**

**Background:**

Reporter is asking if EPA will issue any reaction to the recent [Frontier/Environment America Research & Policy Center \(EARPC\) report](#), "Rough Waters Ahead: The Impact of the Trump Administration's EPA Budget Cuts on the Delaware River Basin." OCFO has suggested a response, though perhaps the third floor has something different in mind. Reporter is Dave D'Alessandro ([DDALESSANDRO@STARLEDGER.COM](mailto:DDALESSANDRO@STARLEDGER.COM)) of Newark Star-Ledger.

**Suggested Response:**

# Deliberative Process / Ex. 5

## Inquiry:

Are there any plans to issue an EPA reaction to the recent Frontier/EARPC report?

**Chemical Watch, DEADLINE: 9/4 (Julie Miller), Re: Pending section 6 rules. Robert Daguiard.**

## Background:

Section 6 of TSCA, as amended the Lautenberg Act, provides EPA with the authority to prohibit or limit the manufacture, processing, distribution in commerce, use, or disposal of a chemical if EPA evaluates the risk and concludes that the chemical presents an unreasonable risk to human health or the environment. Trichloroethylene (TCE) is a volatile organic compound (VOC) that is produced or imported into the United States, with use estimated to be around 250 million pounds per year. It is a clear, colorless liquid that has a sweet odor and evaporates quickly. TCE is a toxic chemical with human health concerns. Julie Miller – Chemical Watch – [julie.miller@chemicalwatch.com](mailto:julie.miller@chemicalwatch.com)

## Response:

# Deliberative Process / Ex. 5

## Inquiry:

I am a relatively new reporter at Chemical Watch and I'm hoping you can shed some light on something for me.

In looking over the EPA's spring regulatory agenda, we noticed that the Section 6 rule on N-Methylpyrrolidone (NMP) and Methylene Chloride is now listed as awaiting publication of a supplemental NPRM. One of the TCE proposals was moved onto "long term action" list while the other is listed as "final rule TBD."

Is this tacit confirmation that the TCE rules are being dropped, which most people expected? Why are the two TCE rules are listed differently? Why is the EPA planning to publish a supplemental NPRM for methylene chloride and NMP?

I appreciate whatever level of response you can give me.

If you would like to answer in email, that is fine, but I would love to have a brief conversation if you have the time this afternoon or tomorrow. My number is 202-803-5909. I work in a home office and there's no such thing as a time that's either too early or too late.

**Fruit Grower News, DEADLINE: 9/1 (Dave Weinstock), Re: Pesticide impact on bees. Robert Daguiard.**

## Background:

EPA's response to the GAO report outlines agency action taken since the report's publication and expresses general agreement with the report's findings. Dave Weinstock – Fruit Grower News – [Ex. 6@gmail.com](mailto:Ex.6@gmail.com)

## Proposed Response:

# Deliberative Process / Ex. 5

## **Inquiry:**

As I mentioned to you on the phone, I'm working on a story on fungicides and bee mortality for [Fruit Growers News](#).

In the course of my interviews, I found a GAO report released in February 2016 that suggested EPA could do more toward "reducing the risk of unreasonable harm to [bees]" by pesticides and other crop protection chemicals.

Here's a link to the report:

<https://www.gao.gov/products/GAO-16-220>

My questions relate specifically to a recommendation on page 45-46 in which GAO notes EPA could be doing a lot more to assure pollinator survival.

My questions here are:

- (1) <!--[if !supportLists]--><!--[endif]-->Have ring tests (to assess the acute contact and oral toxicity of pesticides to bumble bees) been incorporated into EPA's risk assessment process?
- (2) <!--[if !supportLists]--><!--[endif]-->Has EPA developed (and implemented) a plan for obtaining data from pesticide registrants on the effects of pesticides on non-honey bee species, including other managed or wild, native bees, into its risk assessment process?
- (3) <!--[if !supportLists]--><!--[endif]-->When will/does EPA require pesticide/fungicide manufacturers to address risks of tank mixtures (on their labels).
- (4) <!--[if !supportLists]--><!--[endif]-->Has it begin to obtain data on synergistic toxicity increases when fungicides are mixed with pesticides? Are there plans to require labeling referring to that problem? What is the timeline on that?
- (5) <!--[if !supportLists]--><!--[endif]-->What is EPA's thinking on recent research pointing to sub-lethal effects on bees by adjuvants, surfactants and inerts in pesticides?

I'll be wrapping this story up tomorrow around 3 p.m. Thanks, in advance, for whatever information you can dig up for me.

---

**The Nation, DEADLINE: 8/18 (Rene Ebersole), Re: Glyphosate review. *Robert Daguiard*.**

## **Background:**

The response consists of: The pesticide program's desk statement on glyphosate; and its standard answer on the allegations surrounding Mr. Rowland. Rene Ebersole – the Nation – [Ex. 6](#) @gmail.com

**Proposed Response:**

# Deliberative Process / Ex. 5

**Inquiry:**

I'm in the midst of an article having to do with Roundup and glyphosate and I have a few quick questions for someone there. If you can reply today I'd be very grateful!

1. What's the status of the draft glyphosate human health and ecological risk assessments for public comment? Are those still scheduled to be released in 2017? (Or have I missed them?)
2. Was there an outcome of the Scientific Advisory Panel on glyphosate? I see the minutes online, but it's not clear to me if anything ever came of that?
3. Was that panel a public hearing? Or was it open only to invited scientists?
4. I know this is a touchy question, but can you provide any comment on the charges that EPA officials, and specifically Jess Rowland, were "colluding" with Monsanto to promote glyphosate as non-carcinogenic?

Thanks for your time and attention.

---

**WTOP, DEADLINE: 10/12 (Kristie Clement), Re: WTOP cybersecurity roundtable discussion. *Robert Daguiard.***

**INVITATION TO PRE-RECORDED ROUNDTABLE DISCUSSION FOR BROADCAST.**

WTOP and Federal News Radio will be hosting one of their occasional roundtable discussions on federal cybersecurity on October 12. The program will feature Chief Information Security Officers (CISOs) from several federal agencies. The organizers would like to include Sean Kelley, the agency's CISO. We've usually agreed to such invitations in the past as the agency's IT staff officers are very media savvy and know not to discuss things like our vulnerabilities. Please advise whether this is OK to do.

**Inquiry:**

On behalf of WTOP, Federal News Radio, and FedInsider, I am extending this invitation to Sean Kelley, CISO, or an alternate speaker from his office to participate in a Capital Exchange roundtable interview.

We hope he can join us as part of a panel of six to eight senior federal agency officials to discuss government and cybersecurity on Thursday, October 12 from 12 noon to 2 p.m. at the WTOP/Federal News Radio studios at 3400 Idaho Avenue, NW, Washington, DC 20016. Tom Temin, host of The Federal Drive on Federal News Radio, will moderate the conversation.

The theme for this roundtable discussion will focus on tools and strategies for reducing the cybersecurity threat in government.

The discussion will take place in two parts followed by an optional tour of the WTOP studio.

Arrival at studio: 11:45 a.m.

- 12 noon – 12:30 p.m. – Lunch: The group will talk about their background, agency profile, and other introductory remarks as lunch is served. Tom Temin will frame the topic and engage perspectives from participating SMEs.
- 12:30 p.m. – 1:45 p.m. – The formal discussion will take place. The conversation will be audio recorded for documentation rather than broadcast, and the content will be edited into an editorial montage white paper that covers best practices in assessing the use of and implementing cloud. See below for questions that will be discussed.
- Following the roundtable, you are welcome to join us for a 15-minute optional tour of the WTOP “glass-enclosed nerve center” to see where DC’s largest radio station covers the news, weather and traffic 24 hours a day.

Editorial control for the discussion is under the direction of Federal News Radio, specifically moderator Tom Temin. The following will be examined during the interview:

- What are agencies looking for/doing with respect to shared cybersecurity services?
- How agencies are dealing holistically with cyber in hybrid (data center + cloud) infrastructures.
- How is government monitoring, controlling or mitigating the effects of botnets
- Describe your agency’s risk assessment/risk mitigation activities

The Capital Exchange Roundtable is presented by these leading media organizations:

- WTOP 103.5 FM – 1.5 million weekly listeners, over 278,000 of whom are Federal employees;
- [WTOP.com](http://WTOP.com) – 2.5 million unique weekly viewers;
- WFED 1500 AM – 80,000 weekly listeners, 70% Federal employees, 87% GS-10 or higher;
- [FederalNewsRadio.com](http://FederalNewsRadio.com) – 240,000 visitors per month, 50% outside the DC area; &
- FedInsider – 250+ weekly registrants nationwide for online webinar presentation, plus 120,000+ reached via Newsletter announcements, Twitter, and other social media.

**Logistical Details:**

Date: Thursday, October 12, 2017

Time: 12 noon to 2 p.m.

Location: WTOP/Federal News Radio, 3400 Idaho Avenue NW, Washington, DC 20016, 1st floor

Parking: Street parking around the building, accessible via 39th St. NW

(There is also ample underground parking across from WTOP/Federal News Radio under the Giant supermarket on Newark Street NW.)

Dress: Business attire

RSVP: Peg Hosky, [peg@hosky.com](mailto:peg@hosky.com), Phone: 202-237-0300 Cell:

**Ex. 6**

**Sponsors**

This education forum is presented by WTOP, Federal News Radio, and FedInsider. Akami and Carahsoft are sponsors and will have a participant in the roundtable discussion. There will be no commercial content, and no expressed or implied endorsement of any company or product, but rather a technology discussion among knowledgeable people.

**S&P Global, DEADLINE: Flexible (Colby Bermel), Re: Kemper settlement.**

**Background:**

Mississippi Power announced, this summer, plans to shut down the “clean coal” section of its Kemper county, Miss., power plant, because of completion delays and extensive - \$4 billion or so - cost overruns. The company is currently negotiating the shutdown process with state regulators eager to avoid power rate increases for customers - Colby Bermel – S&P – [colby.bermel@spglobal.com](mailto:colby.bermel@spglobal.com)

**Response:**

**Is EPA an intervenor to the Kemper settlement?**

**Deliberative Process / Ex. 5**

**And if EPA is not an intervenor, is the agency doing any kind of work on Kemper specifically, or clean coal in general?**

**Deliberative Process / Ex. 5**

**What is EPA's stance on the Heitkamp-Capito carbon capture bill?**

**Deliberative Process / Ex. 5**

**Inquiry:**

Good morning, I see that Enesta is out of the office today, so if someone is able to help me with this today, great -- but if not, happy to wait till tomorrow. Let me know either way.

*One of the things I cover is Mississippi Power's clean-coal project in Kemper County, Miss., and its ongoing settlement process. In the utility's Aug. 21 settlement rate filing, linked [here](#), it lists a number of intervenors on the fifth page, including "Federal Executive Agencies."*

*Is EPA an intervenor to the Kemper settlement? If yes, what is the extent of the agency's involvement, and why is it doing so? Note: I didn't see any EPA officials listed as parties of record on pages 13 through 15, but I thought I'd inquire, as Kemper is seen by some as a referendum of sorts on clean coal, and energy is of course a priority for the Trump administration.*

*And if EPA is not an intervenor, is the agency doing any kind of work on Kemper specifically, or clean coal in general? What is EPA's stance on the Heitkamp-Capito carbon capture bill?*

*No immediate deadline on this, but I'd appreciate hearing back at some point soon. Thanks so much for your consideration.*

**Sammies Interview Requests**

## **BACKGROUND:**

The Partnership for Public Service, the group that awards the Sammies, has three requests from reporters for interviews with the VW team [OECA's Phil Brooks, OTAQ's Byron Bunker and DOJ's Joshua Van Eaton (DOJ will handle Josh's availability)]:

- <!--[if !supportLists]--><!--[endif]-->TIME magazine correspondent Maya Rhodan 202-861-4093;
- <!--[if !supportLists]--><!--[endif]-->The Washington Post columnist Joe Davidson, Federal Insider; and
- <!--[if !supportLists]--><!--[endif]-->The Atlantic, Russell Berman, 646-539-6678.

The Sammies press folks gave both an embargoed list of the recipients as well as links to their profiles on [servicetoamericamedals.org](http://servicetoamericamedals.org) website.

## **Washington Post**

The Post writer's column is covers federal government accountability, service and workplace issues. In March 2016, the Insider replaced the Federal Diary, which had covered federal employees since 1932. He has already completed interviews with the other Sammies winners and would love interview this team as soon as possible.

From the Sammies press team: Joe has covered our Sammies honorees for several years now and the pieces have turned out very well. For an idea of the way Joe covers our Sammies honorees, [here is the article he wrote after the Sammies breakfast](#) this past spring.

Joe plans to cover the names and brief info about each winner. The story will be published very close to the date of the gala (September 27). His questions Joe will cover the basics like why did you choose federal service and what is most rewarding and frustrating about your work.

Reporter was previously was an assistant city editor at The Washington Post and a Washington and foreign correspondent with The Wall Street Journal, where he covered federal agencies and political campaigns.

## **The Atlantic**

This would be one fairly lengthy story that would begin with an intro about the awards and then feature 300-ish word vignettes of a selection of the award winners. The story will be published the morning of September 27.

He will be asking them to describe their jobs and the work for which they've been recognized.

*(of note: Russell said the profiles are a helpful guide, but this interview is an opportunity for them to talk about their work in their own words)*

For an idea of the format of the article, here is [a piece Russell did earlier last year on the Sammies winners](#).

He is a senior associate editor at The Atlantic, where he covers political news. He was previously a congressional reporter for The Hill and a Washington correspondent for The New York Sun.

## **TIME**

TIME magazine would like to feature the outstanding accomplishments of each of the Sammies winners in print and online. For print, the story includes a 150-word introduction that will feature the partnership for public service CEO

discussing the importance of Sammys, followed by 250-word profiles on each of the winners. The online version will be longer form, yet the structure and layout should be similar.

TIME correspondent Maya Rhodan would like to interview the VW team either by conference call or by email before next Tuesday (September 19). Given the time constraints, she can interview them based on what best accommodates schedules. Her questions will be broad brush and focus on the work the team is doing.

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## **HURRICANE REQUESTS**

### ***HURRICANE HARVEY***

#### **ABC News-Washington (Stephanie Ebbs) – Update on Valero benzene leak. (9/14)**

Was there any new information about the Valero benzene leak out today? I'm seeing references to new information from EPA but I didn't see a release or anything

#### **AFP (Delphine Touitou) – Confirmation on letter and inquiry into Arkema plant. (9/12)**

My colleague Douglas Gillison contacted you a couple of hours ago to try to confirm the information published in some US media saying the Environmental Protection Agency has opened an inquiry into whether the Arkema chemical plant in Crosby, Texas followed federal safety rules to protect against hazards, following explosions at the facility that resulted from Hurricane Harvey flooding.

Could you confirm this information please?

The medias also mentionned a letter sent to Arkema on September 7th urging Arkema to reply in 10 days. Could you also confirm this point please? It is very urgent.

#### **Argus Media (Chris Knight) - Clarification re: emergency fuel waivers. (9/7)**

I'm just trying to understand the difference here. Is the main thing that EPA extended the deadlines of the RFG through September 26?

#### **Argus (Chris Knight) – Waiver data. (9/21) (DDL: 9/21)**

EPA press, I'm doing a story about the expiration in the coming week or so of fuel waivers and other waivers from EPA, Homeland Security, highway operating hours, etc., along with the benefits the waivers provided to areas hit by Irma/Harvey/Maria.

Questions:

- Does EPA plan to extend further any of its fuel waivers or enforcement discretion notices?
- Has EPA collected data/information it can share on use of its waivers? I'm trying to sum up what benefits the waivers have provided to those hit by the storms but haven't seen any type of government data on this (E.g., retailers were able to sell XX million barrels that were otherwise unavailable)

Deadline is 3:30 p.m. today.



**Associated Press (Michael Biesecker) – Superfund inspections and Arkema plant air quality testing. (9/7)**

The statement below makes reference to the fact that EPA divers plan to inspect the underwater portions of the cap at the San Jacinto River Waste Pits Superfund site “when conditions allow.” Two thirds of the cap is under the river, and it has had to have been repaired on at least six occasions following past high-flow events. Can you provide any additional detail about when the underwater inspection may occur?

Please also detail what water quality monitoring has occurred to date at San Jacinto or any of the other locations? Have any samples been collected at all? Results?

Though you provide details of the site conditions at San Jacinto, there’s nothing about what was found at U.S. Oil Recovery. Could you please provide details from the initial assessment and what additional assessment is needed.

Any updates today from the five other sites that were not assessed as of yesterday?

AP also once again reiterates its requests over that last four days for information about EPA’s air quality testing from the Arkema plant fire. We believe this information clearly belongs in the public domain and that its release is required under the Clean Air Act. It has now been a week since the initial round of monitoring was done by aircraft, according to your prior media releases.

**Associated Press (Michael Biesecker) – Follow-up on San Jacinto Waste Pits and U.S. Oil Recovery. (9/12)**

David,

AP is looking to follow up on the ongoing work and assessments at San Jacinto Waste Pits and U.S. Oil Recovery. Do you have time to talk today?

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Just following up on these additional questions from last night. Do you expect to provide any additional info today?

Also, I need to ask for clarification on Amy’s earlier statement that “EPA’s On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site.” Also, from last night’s media release, “Yesterday, an EPA On-scene coordinator conducted an inspection of Vince Bayou to follow up on a rumor that material was offsite and did not find any evidence of a black oily discharge or material from the U.S. Oil Recovery site.”

If that is the case, does EPA know the origin of the black, oily-looking water that appears to be plainly visible in the NOAA aerial imagery from Aug. 31?

Meanwhile, call logs from the U.S. Coast Guard’s National Response Center hotline note that it received two calls Sept. 9 from “U.S. Oil Recovery Superfund” to report spills of storm water from the site earlier that week as the result of heavy rain.

According to EPA guidelines, responsible parties are required to report “hazardous substance release or oil spill” to the NRC hotline if the release enters “navigable waters or adjoining shorelines.”

Did EPA know about the reports of spills from the same site where Amy’s statement says EPA found no evidence of discharges? How can we reconcile that? Can you help us understand what steps EPA staff went through? Did they do a visual assessment? Walk the site? Drive past it? Collect and/or test samples?

A press release previously said 45,000 gallons of water were vacuumed up at the site. Was that related to these spills, or a separate issue? Was the recovered storm water all collected on site, or was any collected from neighboring roads, properties or waterways.

Finally, EPA’s public statements make no direct reference to spills occurring at U.S. Oil Recovery. Why has the agency elected not to make the public aware of these incidents?

**Bloomberg (Meenal Vamburkar) – Valero leak. (9/15)**

I'm following up on the Valero benzene/chemical leak after the hurricane. It's been reported that the leak was bigger than originally estimated and that Valero will be putting out a revised report. Is there a time-frame in which we can expect the revised numbers from the company -- or any other EPA update on the investigation?

**BNA (Sylvia Carignan) – Post-hurricane Superfund site summaries. (9/15)**

A question about this line from the press release:

"Post-hurricane Superfund site summaries based on preliminary data results are being released."

Where are these summaries available?

**BNA (Sam Pearson) – Administrator Pruitt's remarks on Arkema. (9/12)**

Do you have a copy of the Section 114 letter sent to Arkema?

If the letter is being shared with the Washington Examiner, does that mean that EPA will release the letter? Not understanding the rationale for only releasing it selectively.

Also, can anyone explain Administrator Pruitt's comment that " "The concern about some of those risk management plans is the data in those RMPs are actually intelligence or information our adversaries — terrorists — can use to attack soft targets across this country. So we [have to] make sure those RMPs are done the right way to assure we are not equipping our adversaries."

Under existing RMP regulations, Arkema already disclosed it kept as much as 66,260 pounds of sulfur dioxide and 86,000 pounds of 2-Methylpropene on site.

From my reading of the final rule that Administrator Pruitt delayed, the main additional requirements would have been:

- <!--[if !supportLists]--><!--[endif]-->required companies to tell the public, if asked, that the information is available, and the companies would track who requested the information.
- <!--[if !supportLists]--><!--[endif]-->Companies would be required to share the names of regulated substances used in a process at the plant
- <!--[if !supportLists]--><!--[endif]-->The substances' safety data sheets
- <!--[if !supportLists]--><!--[endif]-->the plant's five-year accident history (this is already listed on existing RMPs, they just have to be obtained from EPA rather than the plant)
- <!--[if !supportLists]--><!--[endif]-->a list of scheduled emergency response exercises the plant has conducted (not the content of the exercises or what vulnerabilities they were concerned about or specific things of that nature)
- <!--[if !supportLists]--><!--[endif]-->contact information for the Local Emergency Planning Committee responsible for the plant (again this information could already be obtained through basic research but in theory would be faster this way)

How does any of this = detailed information about all chemicals that are there? How specifically would a terrorist exploit this process to obtain "intelligence" to "attack soft targets across this country"?

**BNA (Adam Allington) - Retail facility cleanup and RCRA guidelines. (9/7)**

Adam Allington from Bloomberg BNA here.

I'm working on a story about cleanup of retail facilities after Hurricane Harvey. Places that sell products which fall under the guidance of hazardous waste, when thrown away...paints, aerosol cans, perfumes, medicine, etc.

I was wondering if EPA has issued any for temporary relaxation of RCRA guidelines as a response to disaster declarations?

If you could let me know on this one particular point I would be very grateful

**CQ (Jackie Toth) – Seeking copy of RMP letter from Administrator Pruitt to Arkema plant and 9/7 request for information. (9/12)**

Can I get a copy of the letter Admin. Pruitt sent to Arkema with concerns over whether it had followed its Risk Management Plan and the Sept. 7 request for information to the company?

**E&E News (Corbin Hiar) – Seeking copy of 9/7 letter to Arkema. (9/12)**

Can EPA please provide a copy of the Sept. 7 letter to Arkema asking for information related to its Crosby, Texas, plant explosion? I plan to file a story about this by 11 a.m. this morning.

**E&E News (Corbin Hiar) – Flooding, Superfund sites, and climate change. (9/14) (DDL: 9/18)**

I'm planning to file a story on Friday about Superfund sites and climate change, so I want to give EPA the opportunity to weigh in on it.

The story notes that the flooding and potential contaminant leaks at the San Jacinto Waste Pits site closely matches a scenario described in the Office of Solid Waste and Emergency Response's Climate Change Adaptation Implementation Plan. While that report is still listed on EPA's Superfund Climate Change Adaptation [page](#), the link to it leads to a page that is being updated to reflect EPA's new priorities.

To what extent, if at all, does EPA think the flooding that occurred at Superfund sites in the wake of Hurricane Harvey is related to climate change? How much, if at all, would the OSWER climate adaptation plan have helped the agency better prepare for Harvey's impacts? How much, if at all, would regulators, responsible parties and affected communities benefit from having access to the OSWER climate plan?

Also, were any Superfund sites in Florida damaged by Hurricane Irma? If so, which ones and to what extent were they damaged?

Please let me know if you have any questions about the story. And thanks for any feedback you can provide by EOD tomorrow.

**Houston Chronicle (Matt Dempsey) – Arkema release from Friday. (9/18)**

I still have a number of questions. Would prefer an interview but if that's not possible... here's the questions:

Why only one day of water samples?

Was any soil testing done?

Was any air testing done for phenol?

Did the EPA do air modeling and if so for what chemicals and what were the results?

When ASPECT was used, what time of day was the craft run? Why test for only the half mile around the plant?

Was any air monitoring done outside of the half mile around the plant? What about outside the evacuation zone?

Can I get any email communications between the EPA and Arkema from Aug. 25 through Sept. 5?

**Houston Public Media (Travis Bubenik) – Arkema response to EPA letter. (9/19)**

Morning, has Arkema responded to [this information request](#) yet? (Not sure if the 10 days requirement counts weekends or just business days...)

**Moody's Investor Service (Roy Ousley) – Seeking names of affected water systems. (9/12)**

I read the statement regarding status of water systems in the area affected by Harvey, and wanted to know if it was possible for you to provide me with the names of the water systems that have been affected. Particularly the 50 drinking systems that are shut down.

**Newsweek (Dana Dovey) – Health effects of sewage overflows. (9/13)**

Hi Mary!

I'm working on a story for Newsweek this morning on raw sewage problems following the recent hurricanes in Houston in Florida and am looking for someone to comment on this topic.

How would these sewage overflows affect both environmental and public health?

Can you put me in touch with anyone who may be able to speak on the topic? I'm working with a very tight deadline.

Thank you and looking forward to your reply,

Dana

Good morning,

I'm currently covering a story on the contaminated floodwaters in Houston due to wastewater breaches caused by the recent storms. Is there anymore information available on this topic and would you be able to put me in touch with anyone who can speak further on the issue?

Thank you!

Dana

**San Antonio Express-News (Rye Druzin) – Valero plant and RINs. (9/14)**

Joe Gorder, the CEO of Valero Energy Corp., the largest U.S. refiner, said that the \$800 million to \$1 billion that Valero is paying for RINs costs do not go to the government, but rather brokers (the people who buy fuel from Valero, blend it and get the RINs credit) who resell the RINs to Valero.

This is a direct quote from Mr. Gorder, from a talk today:

"We sell it at the refinery, it goes through a pipe, it gets out here. Ethanol gets blended into it. That person that blends it captures the credit, which identifies that the ethanol has been blended. He doesn't need it, he doesn't have an obligation. I'm back here, I've produced the fuel, I do need the credit, he hangs onto them until I cry uncle and then he sells them to me at an inflated price and I get them to the government to show compliance. That is \$800 million to \$1 billion that's not being paid to the government; it's being paid to individual companies out there that are capturing these credits, brokers who are between us and you. What this means is you're paying 8 to 10 cents a gallon more than you need to for your fuel because of this policy."

I would like to know if Mr. Gorder's characterizations are correct, and I need a response ASAP, no later than 6 p.m. Central Time (7 p.m. ET).

I would prefer an emailed response because it will be easier to put into the story. Thank you.

**Univision 45 Houston (Jessica Rivera) – Benzene and Valero plant. (9/14)**

Univision 45 in Houston, Texas is requesting information on a Houston Chronicle report that Valero Energy "significantly underestimated" the amount of cancer-causing benzene and other volatile compounds leaked from its Houston refinery during Hurricane Harvey's torrential rains, the U.S. Environmental Protection Agency said Thursday.

Do you have any information?

Or, could you provide us with the EPA media contact for Texas?

I searched on the website for the Texas contact and the information would not pop up when I scrolled over the media map.

**Vice (Alex Lubben) – U.S. Oil Recovery. (9/19)**

Hi Jahan,

Has the EPA conducted any sort of clean up operation post-Harvey at the U.S. Oil Recovery Superfund site since the Harvey floodwaters receded?

**Wall Street Journal (Alexandra Berzon) – Chemical plants and regulations. (9/15)**

Hello, I am working on a story about chemical plants and EPA regulations that relates to Hurricane Harvey. I need to speak with or get responses to questions. Is there someone who could please call me at 323-327-8194 or let me know who I can follow up with to get answers to questions? I am on a deadline and would need to speak to someone by tomorrow midday.

***HURRICANE IRMA***

**Al Jazeera (Elizabeth Gorman Shaw) – Hurricane cleanup and recovery.**

I'm a journalist for "Fault Lines" at Al Jazeera English. I'm interested in making an interview request for a story I'm working on about Hurricane cleanup and recovery.

**Associated Press (Matthew Brown) – Non-Superfund chemical/petrochemical storage sites. (9/8)**

Greetings-

As part of the EPA's preparations for Irma, can you please tell me if the agency is also trying to assess safety of chemical/petrochemical storage sites that are NOT on the Superfund list?

I'm also following up on earlier questions (repeated below) regarding Harvey-related spills from petrochemical storage tanks.

HARVEY QUESTIONS:

- has EPA received any results of water sampling focused on industrial facilities and hazardous waste sites?
- has EPA been able to make any determinations as to the public health risk of any spills into floodwaters/onto land from crude oil, chemical releases, etc.?
- are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?
- Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?
- can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)
- broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

**Associated Press (Michael Biesecker) – Vulnerability of Florida Superfund sites. Seeking copy of assessment. (9/9)**

My understanding is that EPA Region 4 has prepared a vulnerability assessment of Florida Superfund sites potentially at risk from Irma that lists Homestead Air Force base, Airco Plating and Cabot Copper as being potentially vulnerable to flooding.

Could you please provide a copy of the assessment? Also, we would be interesting in reporting details of what preparations and monitoring is taking place at those sites as storm progresses.

Would you have time to talk to me or my colleague Jason, copied on this email, later today?

**Associated Press (John Flesher) – CWA stormwater discharge permits. (9/13)**

I'm putting together a story for AP today on sewage overflows in Florida resulting from Hurricane Irma and have a few questions about EPA's announcement regarding Clean Water Act stormwater discharge permits:

-Does this mean that permit holders will be allowed to discharge untreated or partially treated sewage into waters in ways that ordinarily are impermissible under the Clean Water Act?  
-If so, for how long will this waiver be in place?  
-What other kinds of exceptions to normal permit requirements would these "upset" or "bypass provisions allow?  
-How often are such waivers granted? Is it done routinely during hurricanes, or is does this represent a new policy for EPA?  
Aside from hurricanes, under what other circumstances would justify such waivers?

**CQ (Elvina Nawaguna) – Hurricanes and climate change strategy. (9/11)**

I'm working on a story about whether Hurricanes Harvey, Irma, Jose can change the conversation about climate change especially among GOP lawmakers who have rejected climate science. Would like to talk with/ get a response from Administrator Pruitt's office on what role climate change may have played in the unusually huge storms and whether the EPA is considering taking stronger action to mitigate climate change. Scientists have said while climate change did not directly cause the storms, it certainly made the flooding worse and project more extreme weather events What strategy does the EPA have going forward?

**E&E News (Niina Heikkinen) - Emergency response, Administrator Pruitt, and funding. (9/7)**

I'm writing something for tomorrow about what Administrator Pruitt and the agency is doing ahead of Irma. Does EPA have the funding it needs to do two (and potentially three) back to back emergency responses? Will Pruitt be making any TV appearances in the coming days to talk about the storm response?

I'm also interested in what sort of work is happening in Puerto Rico and the Virgin Islands, which haven't gotten as much media attention. Does Administrator Pruitt plan to visit Florida?

**E&E News (Niina Heikkinen) – Emergency preparedness and climate change. (9/14)**

I'm working on an article for tomorrow about how climate change is being incorporated in emergency response and preparedness efforts.

First, are your staff still using resources such as the National Climate Assessment in planning for future storms like Harvey and Irma?

Are emergency management staff examining different scenarios including sea level rise, precipitation rates, or wildfire frequency that could impact facilities under EPA's jurisdiction?

If you are able to connect me with anyone working in emergency management this afternoon, I'd very much appreciate it.

**WIRED (Eric Niiler) – Hurricane debris disposal. (9/14)**

I'm a Washington-based contributing writer for WIRED and am putting together a story for Friday (tomorrow) on debris removal after Hurricanes Harvey and Irma. I'd like to either connect with someone by phone, or have a few questions answered in writing:

-Have state environmental officials in Texas or Florida asked for waivers for EPA disposal rules that would allow mixed solid/hazardous waste into construction and demolition landfills? -If so, has the EPA granted any waivers yet?

-Has the Office of Land and Emergency Management (OLEM) addressed concerns raised by a 2016 Office of Inspector General's report on disaster debris:

<https://www.epa.gov/sites/production/files/2016-06/documents/20160629-16-p-0219.pdf>

, specifically have they collected information from state agencies about planning for disposal after storms?

-Does OLEM have post-disaster debris disposal plans from state officials for the relevant regions of Texas and Florida?

-Has EPA and OLEM incorporated the effects of climate change into post-disaster debris planning as noted by the OIG report (pp. 3-4) and the 2014 EPA Climate Change Adaptation Plan?

-Anything else that EPA would like to add about its role in debris disposal in Texas and Florida?

**2U (John Rehm) – Access to clean drinking water in Texas and Florida. (9/14)**

I was wondering if you had any data or information on how many people are without access to clean drinking water in both Texas and Florida.

**HURRICANE MARIA**

**Buzzfeed News (Grace Wyler and Zahra Hirji) – Vieques Naval Installation. (9/21/17)**

Can you provide any information/updates about the condition of the former Vieques Naval installation? Has there been any assessment of the impact of Hurricane Maria on the site and/or its contamination on the island and surrounding waters?

More specifically, is there any concern that unexploded munitions, or exploded remnants of munitions, may have been disrupted by this month's storms? And/or is there any possibility that Hurricane Maria, and subsequent storm surges/flooding, could impact potential exposure to chemicals present at the site?

- Has an EPA team visited to inspect it?
- If not, what is the EPA's plan to secure the site?

Separately: Can you say if any of the Superfund sites on Puerto Rico or the US Virgin Islands have suffered flooding or damage?

Also, is there a point of contact at the Navy I should connect with for further updates/details on this?

Message

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**From:** Block, Molly [block.molly@epa.gov]  
**Sent:** 2/27/2018 4:05:48 PM  
**To:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**CC:** Daniell, Kelsi [daniell.kelsi@epa.gov]  
**Subject:** RE: EPA reorganization

10-4

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**From:** Wilcox, Jahan  
**Sent:** Tuesday, February 27, 2018 11:02 AM  
**To:** Block, Molly <block.molly@epa.gov>  
**Cc:** Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Subject:** RE: EPA reorganization

You can send it.

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**From:** Block, Molly  
**Sent:** Tuesday, February 27, 2018 11:00 AM  
**To:** Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Cc:** Daniell, Kelsi <daniell.kelsi@epa.gov>  
**Subject:** FW: EPA reorganization

Hey Jahan –

Here's our response, do you want to send it to him or would you like me to reach out?

Michael –

"In order to maintain the quality of EPA's research, ORD career and political leaders are proposing management efficiencies to staff. ORD is **proposing** combining offices and functions into a new Office of Resource Management, including reorganizing staff to the labs and offices where their expertise is most effective. This potential reorganization would not affect anyone's employment or status and the management of research grants will continue. ORD leadership is currently holding listening sessions with staff across the country to discuss this proposal, so everyone can work together to develop the best organization possible." - EPA Spokeswoman Liz Bowman

**Background:** This is only a proposed re-organization. No one is losing their job; no one is being demoted. As this is a proposal, it is not final and we are holding numerous "town halls" with staff to discuss the proposed changes to ensure we are developing the best organization possible.

As an email from the career head of this department explained, "In order to maintain the quality and focus of our research, our senior leadership team is proactively taking steps to create greater management efficiencies within the organization.

"In phase one we are establishing a new office, the Office of Resource Management, by consolidating two offices that provide administrative and budget support, with our center that funds high quality research through grants and small business innovative research contracts. FOIA, records management, and budget formulation functions from other organizations will also be moved into this office.

"We will also be looking at the rest of the organization and will begin that process by collecting input from staff over the next two weeks."



Best,  
Molly

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**From:** Biesecker, Michael [<mailto:MBiesecker@ap.org>]

**Sent:** Tuesday, February 27, 2018 10:23 AM

**To:** Press <[Press@epa.gov](mailto:Press@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>

**Subject:** EPA reorganization

Jahan,

Please provide details of the EPA's planned reorganization that includes the elimination of the National Center for Environmental Research and the merger of the Office of Administrative and Research Support and Office of Program Accountability and Resource Management into the new Office of Resource Management. Is it accurate that the NCER will be dissolved and the science staff there will be reassigned.

Can you provide comment about the goals of the reorganization and why it is necessary? Who will lead the new department?

Also, how will moving the FOIA office into the new department help clear the agency's backlog of unprocessed FOIA requests?

Writing for today.

Thanks,

Michael



ASSOCIATED PRESS

**Michael Biesecker**

Reporter

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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